



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

November 17, 2023

Governor's Office of Planning & Research

Rosalind Cox
Director of Facilities Planning
Madera Unified School District
1250 S. Madera Avenue
Madera, CA 93637

Nov 17 2023
STATE CLEARINGHOUSE

RE: MITIGATED NEGATIVE DECLARATION (MND) FOR THE KING HUSEIN
SCHOOL PROJECT, DATED OCTOBER 31, 2023 STATE CLEARINGHOUSE #
[2023100922](#)

Dear Rosalind Cox,

The Department of Toxic Substances Control (DTSC) received a MND for the King Husein School Project. The project will construct a new Transitional Kindergarten – 8th grade school campus for approximately 1,000 students and staff and will include classroom facilities, a multi-purpose building, administrative facilities, playgrounds, play courts, play fields, street improvements, parking facilities, bus loading and unloading zone, student drop-off and pick-up area for parents, and all construction related to underground facilities required to serve the site. Specifically, the project is designed to include 38 regular classrooms, five special education classrooms, one art classroom, one STEM classroom, and two music classrooms. Based on our Project review, DTSC requests consideration of the following comments:

1. If the district plans to use California Department of Education (CDE) State funds for the project, then the district shall comply with the requirements of Education Code (EDC), [§ 17210](#), [§ 17213.1](#), and [§ 17213.2](#), unless otherwise specifically exempted under section [§ 17268](#). If the district is not using CDE State funds for the project, or is otherwise specifically exempt under section [§ 17268](#), DTSC recommends the district continue to investigate and clean up the Site, if necessary, under the oversight of Madera County and in concurrence with all applicable DTSC guidance documents. For more information on the CDE State funding, please visit [Office of Public School Construction](#) webpage.

A local education agency may also voluntarily request the CDE site/plan approval for locally funded site acquisitions and new construction projects. In these cases, CDE will require DTSC to review and approve prior to its final approval, except when exempt under section 17268.
2. Because the project is school site related, DTSC recommends that an environmental review, such as a Phase I Environmental Site Assessment and/or Preliminary Environmental Assessment, be conducted to determine whether there has been or may have been a release or threatened release of a hazardous material, or whether a naturally occurring hazardous material is present based on reasonably available information about the property and the areas in its vicinity. Such an environmental review should generally be conducted as part of the California Environmental Quality Act (CEQA) process. If the District elects to proceed and conduct an environmental assessment at the Site under DTSC oversight, it should enter into an Environmental Oversight Agreement with DTSC to oversee the preparation of the environmental assessment.
3. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing

materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 [Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers](#)

4. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to [DTSC's 2001 Information Advisory Clean Imported Fill Material](#) webpage.

DTSC appreciates the opportunity to comment on the King Husein School Project. If you would like to proceed with DTSC's school environmental review process, please visit [DTSC's Evaluating & Clean-up School 3-Step Process](#) to begin a Phase I Environmental Site Assessment.

Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,



Dave Kereazis
Associate Environmental Planner
HWMP – Permitting Division - CEQA Unit
Department of Toxic Substances Control

Rosalind Cox
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cc: Governor's Office of Planning and Research
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